

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:20-cv-00038-MOC-WCM**

SECURITIES AND EXCHANGE COMMISSION,)

Plaintiff,)

vs.)

**MARK NICHOLAS PYATT, and
WINSTON REED INVESTMENTS L.L.C.,**)

Defendants,)

DANIEL GREGORY RANDOLPH,)

Relief Defendant.)

ORDER

THIS MATTER is before the Court upon the Plaintiff Securities and Exchange Commission's ("SEC") motion, (Doc. No. 28), pursuant to Fed. R. Civ. P. Rule 41(a)(2) to dismiss its claim without prejudice against Relief Defendant Daniel Gregory Randolph, which is contained in the Third Claim For Relief. See (Doc. No. 1 at ¶¶ 110-13).

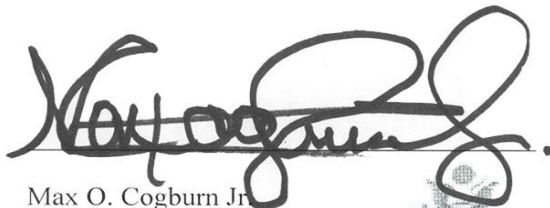
IT IS ORDERED that Plaintiff's motion to dismiss its Third Claim for Relief against Relief Defendant Daniel Gregory Randolph is **GRANTED**, and the asset freeze against the bank account number xxxxxx3832 held in the name of Daniel G. Randolph at First International Bank and Trust is RELEASED.

IT IS FURTHER ORDERED that the asset freeze shall remain in effect as to the bank account of Winston Reed Investments LLC (account number xxxxxx4657 at First International Bank and Trust), and the brokerage and futures trading accounts in the name of Daniel G.

Randolph held at T.D. Ameritrade Inc. (account numbers xxx-xx5750, xxxxx504, and xxxxx5729) until further order of this Court.

This order resolves all claims against Mr. Randolph, and he is hereby dismissed from this case.

Signed: August 17, 2020



Max O. Cogburn Jr.
United States District Judge